IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE GODA RAGHURAM**

**WRIT PETITION NO : 12118 of 2005**

Between:

N. Ramadevi, D/o.N. Thirupalu,
R/o. Bollavaram Village, Kallur Mandal, Kurnool District.

**..... PETITIONER**

AND

1 The District Collector, Kurnool District.
2 The Joint Collector, Kurnool District.
3 The Revenue Divisional Officer, Kurnool, Kurnool District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings of the 2nd Respondent in Rc.No. CS3/439/2004 dt. 02-5-2005 in remanding the matter to the 3rd Respondent to continue the petitioner as a temporary F.P. Shop Dealer of Bollavaram Village, till finalisation of the afresh interviews.

**Counsel for the Petitioner: MR.U.RAMANJANEYULU**

**Counsel for the Respondents: GP FOR CIVIL SUPPLIES**

**The Court, at the stage of admission, made the following :**

**ORAL ORDER**

The petitioner was appointed as a temporary fair price shop dealer of Bollavaram Village, Kallur Mandal, Kurnool District in 1999. On 31-06-2004 the 3rd respondent issued a notification proposing to fill up the vacancy on a permanent basis. The petitioner and some other candidates applied pursuant to the notification and participated in the selection process. At the selection process, the 3rd respondent selected one M.Nazeer Ahmad for appointment as the permanent fair price shop dealer of the said village. Aggrieved, the petitioner preferred an appeal to the 2nd respondent. The 2nd respondent initially granted stay and permitted the petitioner to continue as a temporary fair price shop dealer and eventually by an order impugned dated 02-02-2005, the 2nd respondent allowed the appeal of the petitioner setting aside the selection process and directed the 3rd respondent to conduct interviews afresh for selecting the appropriate person for permanent authorization of the fair price shop in the village. As a consequence, the earlier stay granted was vacated and the 3rd respondent was directed to make alternative arrangements for supply of essential commodities till a new fair price shop dealer is appointed. The petitioner is aggrieved by that portion of the order of the 2nd respondent, which directs the 3rd respondent to make alternative arrangements for supply of essential commodities. The petitioner claims that as a temporary fair price shop dealer since 1999 and being a physical handicapped person and a lady, she should be permitted to supply the essential commodities basis till the permanent arrangement is made, as directed by the 2nd respondent.

Whether the petitioner should be continued on a temporary basis pending appointment of a permanent dealer is not a matter which could be considered by this Court under Article 226 of the Constitution of India. No mandamus as sought for

could be issued. The petitioner is at liberty to make a representation to the respondents on this count if so desired and any such representation would be considered by the respondents in accordance with law.

Accordingly, the writ petition is disposed of. No order as to costs.

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**GODA RAGHURAM,J**

13TH JUNE 2005

*TSNR

To

1 The District Collector, Kurnool District.
2 The Joint Collector, Kurnool District.
3 The Revenue Divisional Officer, Kurnool, Kurnool District.

4. Two CCS to G.P for Civil Supplies, High Court Buildings, High Court of A.P.Hyderabad(OUT)

5. Two C.D.Copies.